

8

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

BLUE CROSS BLUE SHIELD
ASSOCIATION, et al.

v.

GLAXOSMITHKLINE LLC

: CIVIL ACTION
:
: No. 13-4663
:
:
:
:

FILED

SEP 30 2019

KATE BARKMAN, Clerk
By _____ Dep. Clerk

ORDER

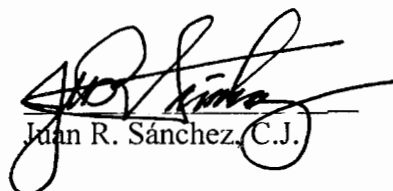
AND NOW, this 30th day of September, 2019, upon consideration of Defendant GlaxoSmithKline LLC's Motion for Summary Judgment, the briefing and supplemental briefing thereon, and the parties' presentations at the March 12, 2019, oral argument on the Motion, and for the reasons set forth in the accompanying Memorandum, it is ORDERED the Motion (Document 201) is GRANTED in part and DENIED in part as follows:

1. The Motion is GRANTED as to Plaintiffs' claims under the Racketeer Influenced and Corrupt Organizations Act and for unjust enrichment (Count VII). Judgment is entered in favor of GSK as to Counts I, II, III, and IV of Plaintiffs' Amended Complaint.

2. The Motion is DENIED as to Plaintiffs' remaining claims for fraud (Count IV), civil insurance fraud pursuant to 18 Pa. Cons. Stat. § 4117(a)(2) (Count V), negligent misrepresentation (Count VI), breach of express warranty (Count VIII), and breach of implied warranty of merchantability (Count IX).

An order scheduling a status conference to set a date for trial on Plaintiffs' surviving claims will be entered separately.

BY THE COURT:


Juan R. Sanchez, C.J.